



City of Miami Springs, Florida
City Council Meeting

Regular Meeting Minutes
Monday, September 28, 2015 7:00 p.m.

Council Chambers at City Hall
201 Westward Drive, Miami Springs, Florida

- 1. Call to Order/Roll Call:** The meeting was called to order by the Mayor at 7:10 p.m.

Present were the following:

Mayor Xavier M. Garcia
Vice Mayor Bob Best
Councilman Billy Bain
Councilwoman Roslyn Buckner
Councilman Jaime A. Petralanda

City Manager Ronald K. Gorland
Assistant City Manager/Finance Director William Alonso
City Attorney Jan K. Seiden
Chief of Police Armando A. Guzman
Recreation Director Omar Luna
City Clerk Erika Gonzalez-Santamaria

- 2. Invocation:** Offered Mayor Garcia

Salute to the Flag: The audience participated in the Pledge of Allegiance and Salute to the Flag

- 3. Awards & Presentations:**

A) Swearing-in Ceremony for newly hired Miami Springs Police Officers Denise Martinez and Michael Garcia

After welcoming remarks, Chief of Police Armando Guzman administered the Oath of Office to Police Officers Denise Martinez and Michael Garcia.

B) Introduction of newly promoted Miami Springs Police Sergeants Carlos Nuñez and Alberto Sandoval

Chief Armando Guzman introduced the recently promoted sergeants, Officers Carlos Nuñez and Alberto Sandoval.

Chief Guzman requested that the Council allow him to recognize an outstanding staff member that has assisted him since the beginning of his tenure. He recognized Ms. Leah Cates for all her efforts and he then announced that he is promoting her to Senior Executive Assistant and presented her with a plaque.

C) Unit Citation Award for the month of August to the Miami Springs Police Department Midnight Shift: Sgt. F. Perez, Ofc. A. Sandoval, Ofc. E. Estok, Ofc. N. Figueredo, Ofc. C. Dweck, Ofc. R. Castillo and Ofc. B. Nickerson

Chief of Police Armando Guzman introduced Lt. Mulla who then presented the Unit Citation Award to the midnight shift supervised by Sergeant Frank Perez for their excellent police work that resulted in the apprehension of a burglary suspect and recovery of stolen property. He commended Sergeant Perez and Officers Sandoval, Estok, Figueredo, Dweck R. Castillo and Nickerson.

D) Yard of the Month Award for October 2015 - 1001 Swan Avenue – Joan and Walt Dworak

Mayor Garcia presented the certificate to Mr. and Mrs. Dworak for the yard of the month award.

4. Open Forum:

The following members of the public addressed the City Council: Tony Lima, Helen Gannon, Westward Drive, Elaine Martin on behalf of Childhood Cancer Event.

5. Approval of Council Minutes:

A) September 28, 2015 – Regular Meeting

Vice Mayor Best moved to approve the minutes. Councilman Petralanda seconded the motion, which carried 5-0 on roll call vote. The vote was as follows: Vice Mayor Best, Councilman Bain, Councilwoman Buckner, Councilman Petralanda and Mayor Garcia voting Yes.

6. Reports from Boards & Commissions:

A) Board of Adjustment – Approval of Actions Taken at their Meeting of September 21, 2015 Subject to the 10-day Appeal Period

Councilman Bain moved to approve. Councilman Petralanda seconded the motion, which carried 5-0 on roll call vote. The vote was as follows: Vice Mayor Best, Councilman Bain, Councilwoman Buckner, Councilman Petralanda and Mayor Garcia voting Yes.

7. Public Hearings:

A) A Resolution Of The City Council Of The City Of Miami Springs, Florida Adopting The Final Levying Of Ad Valorem Taxes For General Operations For The City Of Miami Springs For The Fiscal Year 2015-2016; Providing For An Effective Date

City Attorney Seiden read the Resolution in its entirety for the record.

Mayor Garcia opened the public hearing and there were no speakers at this time.

Vice Mayor Best moved to approve the Resolution. Councilman Petralanda seconded the motion, which carried 5-0 on roll call vote. The vote was as follows: Vice Mayor Best, Councilman Bain, Councilwoman Buckner, Councilman Petralanda and Mayor Garcia voting Yes.

B) A Resolution Of The City Council Of The City Of Miami Springs, Florida Adopting The Final General Fund, Special Revenue Funds, Debt Service Fund, And Enterprise Fund Budgets For The Fiscal Year 2015-2016; Authorizing The City Manager To Proceed With Implementation Of Service Programs And Projects; Prohibiting Unauthorized Liabilities And Expenditures Of Funds; Providing For An Effective Date

City Attorney Seiden read the Resolution in its entirety for the record.

Mayor Garcia opened the public hearing and there were no speakers at this time.

Vice Mayor Best moved to approve the Resolution. Councilwoman Buckner seconded the motion, which carried 5-0 on roll call vote. The vote was as follows: Vice Mayor Best, Councilman Bain, Councilwoman Buckner, Councilman Petralanda and Mayor Garcia voting Yes.

8. **Consent Agenda: (Funded and/or Budgeted)** None at this time.

9. **Old Business:**

A) Appointments to Advisory Boards by the Mayor and Council Members

There were no appointments made at this time.

10. **New Business:**

A) Resolution - A Resolution Of The City Council Of The City Of Miami Springs Amending The Current Schedule Of Charges For The Use Of City Recreation Facilities And Related Services; Effective Date

City Attorney Seiden read the Resolution by title.

Councilman Petralanda moved to approve the Resolution. Councilman Bain seconded the motion, but later withdrawn by Councilman Petralanda.

Councilman Petralanda made a motion to allow seniors, 60 and over, to use all recreational facilities for free between 9:00 a.m. and 12:00 p.m. Monday through Friday. Councilman Bain seconded the motion, which carried 5-0 on roll call vote. The vote was as follows: Vice Mayor Best, Councilman Bain, Councilwoman Buckner, Councilman Petralanda and Mayor Garcia voting Yes.

B) Approval of Facility Agreement for Theatrical Services – Pelican Playhouse

After some discussion, Councilman Bain moved to approve the agreement with the amended language to reflect the clarification of the non-profit organization fees. Vice Mayor Best seconded the motion, which carried 5-0 on roll call vote. The vote was as follows: Vice Mayor Best, Councilman Bain, Councilwoman Buckner, Councilman Petralanda and Mayor Garcia voting Yes.

C) Approval of the Memorandum and the First Amendment to Flagpole Antenna Lease Agreement with STC Five LLC and the City of Miami Springs

City Attorney Seiden explained that the contract is a continuation of the current contract.

Vice Mayor Best moved to approve the agreement. Councilman Bain seconded the motion, which carried 5-0 on roll call vote. The vote was as follows: Vice Mayor Best, Councilman Bain, Councilwoman Buckner, Councilman Petralanda and Mayor Garcia voting Yes.

D) Approval of Memorandum of Understanding with the F.O.P.

City Manager Gorland introduced the item to Council.

Councilwoman Buckner excused herself from the dais and left the meeting room to abstain from the vote.

Councilman Bain moved to approve the Memorandum. Vice Mayor Best seconded the motion, which carried 4-0 on roll call vote. The vote was as follows: Vice Mayor Best, Councilman Bain, Councilman Petralanda and Mayor Garcia voting Yes; Councilwoman Buckner abstained.

10. **Other Business:** None at this time.

11. **Reports & Recommendations:**

A) City Attorney

The City Attorney had no further comments.

B) City Manager

City Manager Gorland reminded the public that there will be a yard sale event on Curtiss Parkway this weekend.

C) City Council

Vice Mayor Best had no report at this time.

Councilwoman Buckner had no report at this time.

Councilman Petralanda had no report at this time.

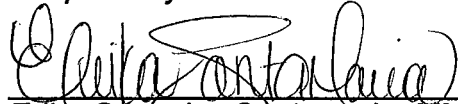
Councilman Bain stated that he heard the Optimist BBQ was a huge hit. He also reminded administration that the flood issue is still pending and is expecting an update.

Mayor Garcia spoke of the Optimist BBQ event. He said the event was very successful and thanked everyone that participated and attended the event.

13. **Adjourn**

There being no further business to be discussed the meeting was adjourned at 8:35 p.m.

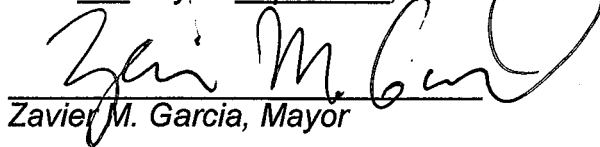
Respectfully submitted:



Erika Gonzalez-Santamaria, MMC
City Clerk



Adopted by the City Council on
This 28th day of September, 2015.



Xavier M. Garcia, Mayor

PURSUANT TO FLORIDA STATUTES 286.0105, THE CITY HEREBY ADVISES THE PUBLIC THAT IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THIS COUNCIL WITH RESPECT TO ANY MATTER CONSIDERED AT ITS MEETING OR HEARING, HE OR SHE WILL NEED A RECORD OF THE PROCEEDINGS, AND THAT FOR SUCH PURPOSE, THE AFFECTED PERSON MAY NEED TO ENSURE THAT VERBATIM RECORD OF THE PROCEEDING IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED THIS NOTICE DOES NOT CONSTITUTE CONSENT BY THE CITY FOR THE INTRODUCTION OR ADMISSION OF OTHERWISE INADMISSIBLE OR IRRELEVANT EVIDENCE, NOR DOES IT AUTHORIZE CHALLENGES OR APPEALS NOT OTHERWISE ALLOWED BY LAW.

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME Buckner, Roslyn		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE CITY COUNCIL OF MIAMI SPRINGS	
MAILING ADDRESS 201 WESTWARD DRIVE		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: <input checked="" type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY	
CITY MIAMI SPRINGS	COUNTY MIAMI DADE	NAME OF POLITICAL SUBDIVISION: N/A	
DATE ON WHICH VOTE OCCURRED MONDAY, SEPTEMBER 28, 2015		MY POSITION IS: <input checked="" type="checkbox"/> ELECTIVE <input type="checkbox"/> APPOINTIVE	

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies equally to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing the reverse side and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which inures to his or her special private gain or loss. Each elected or appointed local officer also is prohibited from knowingly voting on a measure which inures to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent organization or subsidiary of a corporate principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you otherwise may participate in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on other side)

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Booslyn Buckner, hereby disclose that on Monday, September 18, 2015:

(a) A measure came or will come before my agency which (check one)

- ☐ inured to my special private gain or loss;
- ☐ inured to the special gain or loss of my business associate, _____;
- ☐ inured to the special gain or loss of my relative, _____;
- ☐ inured to the special gain or loss of _____, by whom I am retained; or
- ☐ inured to the special gain or loss of _____, which is the parent organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

Matter for vote directly affected me due to the relationship of my spouse, who works for the Police Dept, I would derive an indirect benefit. ie: "Approval of Memorandum of Understanding with the F.O.P. agenda item 10D."

September 29, 2015
Date Filed

[Signature]
Signature

CITY OF MIAMI SPRINGS
2015 SEP 29 P 3:28

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.